

## REGULATORY COMMITTEE

### PLANNING COMMITTEE

MINUTES of a meeting of the Planning Committee held at County Hall, Lewes, on 20 February 2008.

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PRESENT- Councillor Tunwell (Chairman), Councillors Maynard (Vice-Chairman), Ost, Stogdon, Taylor and Woodall

#### 61. MINUTES

61.1 RESOLVED – to approve as a correct record the minutes of the previous meeting held on 23 January 2008.

#### 62. APOLOGIES

62.1 Apologies for absence were received from Councillor Daniel.

#### 63. DECLARATION OF INTERESTS

63.1 Councillor Maynard declared a personal and non-prejudicial interest in item 5D in that he was Leader of Rother District Council.

63.2 Councillor Dowling declared a personal and non-prejudicial interest in item 5A in that his brother lived next door to the premises.

#### 64. REPORTS

64.1 Copies of the reports and documents referred to below are contained in the minute book.

#### 65. NEW 48 BED RESIDENTIAL UNIT WITH CONSULTING ROOMS AND REFRESHMENT CENTRE. RIDGEWOOD RISE, HIGHVIEW LANE, UCKFIELD – WD/2642/CC

65.1 The Committee considered a report by the Director of Transport and Environment.

65.2 Councillor Dowling, local Member, addressed the Committee welcoming the proposal for the site to be developed, however he advised that the local residents expressed concern as to whether Highview Lane would be restored to its current state when works were completed; they also requested that East Sussex County Council should reconsider adopting the lane when works are completed; that a drainage survey is also undertaken before works commence; and consideration be given to using Castle Rise for access to the site.

65.3 The Committee, following a vote, agreed to amend condition 9 to include that a drainage survey be undertaken.

Reason for approval

65.4 Members have considered the officer's report and agree with the reasons for approval set out in paragraph 7 of the report.

65.5 RESOLVED to grant outline planning permission subject to the following conditions:

1. (a) Application for approval of any reserved matter shall be made to the Director of Transport & Environment before the expiration of three years from the date of this permission.  
  
(b) The development hereby permitted shall be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: To comply with Section 92 Town and Country Planning Act 1990.

2. Approval of the details of the layout, scale, landscaping and external appearance of the building(s) and the access to and within the site (hereinafter called 'the reserved matters') shall be obtained from the Director of Transport and Environment in writing before any development is commenced. The development shall be implemented in accordance with the approved details.

Reason: To comply with Section 92 Town and Country Planning Act 1990

3. Development shall not commence until the following details have been submitted to and approved in writing by the Director of Transport and Environment showing:

(a) a plan showing the location of, and allocating a reference number to, each existing tree on the site which has a stem with a diameter, measured over the bark at a point 1.5 metres above ground level exceeding 75 mm, showing which trees are to be retained and the crown spread of each retained tree;

(b) details of the species, diameter (measured in accordance with paragraph (a) above), and the approximate height, and an assessment of the general state of health and stability, of each retained tree and of each tree which is on land adjacent to the site and to which paragraphs (c) and (d) below apply;

(c) details of any proposed topping or lopping of any retained tree, or of any tree on land adjacent to the site;

(d) details of any proposed alterations in existing ground levels, and of the position of any proposed excavation within the crown spread of any retained tree or of any tree on land adjacent to the site;

(e) details of the specification and position of fencing and of any other measures to be taken for the protection of any retained tree from damage before or during the course of development.

In this condition 'retained tree' means an existing tree which is to be retained in accordance with the plan referred to in paragraph (a) above.

Reason: In the interests of visual amenity and to comply with Policies S1 (b) & (f) and EN1 of the East Sussex and Brighton & Hove Structure Plan 1991-2011.

4. No works shall commence on site including the carrying out of any works of demolition until a detailed strategy and method statement for securing and demonstrating that the amount of construction waste resulting from the development has been reduced to smallest amount possible, has been submitted to and approved in writing by the Director of Transport and Environment. The statement shall include details of the extent to which waste materials arising from the demolition and construction activities will be reused on site and demonstrating that maximum use is being made of these materials. If such reuse on site is not practicable, then details shall be given of the extent to which the waste material will be disposed of for reuse, recycling, composting or other method in accordance with the best practicable environmental option. All waste materials from the demolition and construction associated with the development shall be reused, recycled and dealt with in accordance with the approved strategy and method statement.

Reason: To minimise the amount of construction waste to be removed from site for final disposal in accordance with policy W10 of the East Sussex and Brighton & Hove Structure Plan 1991-2011 and WLP11 of the East Sussex and Brighton & Hove Waste Local Plan 2006.

5. Development shall not commence until details of wheel washing facilities have been submitted to and approved in writing by the Director of Transport and Environment. The approved details shall be implemented in full before the commencement of development and the facilities shall be maintained in working order during the construction period and shall be used by any vehicle carrying mud, dust or other debris on its wheels before leaving the site. No vehicle associated with the development shall leave the site carrying mud, dust or debris.

Reason: In the interests of highway safety and the amenity of the locality and to enable the Local Planning Authority to control and regulate the development.

6. Construction work (including works of demolition) shall not take place at any time other than between 0730 and 1730 Monday to Friday (excluding Bank or Public Holidays) except with the prior written consent of the Director of Transport and Environment.

Reason: To safeguard the amenities of the occupiers of properties in the vicinity of the site and to comply with Policy S1 of the East Sussex and Brighton & Hove Structure Plan 1991-2011.

7. No deliveries shall be made to or despatched from the site at any time other than between 0730 and 2100 hours on any day except in the case of an emergency.

Reason: To safeguard the amenities of the occupiers of properties in the vicinity of the site and to comply with Policy S1 of the East Sussex and Brighton & Hove Structure Plan 1991-2011.

8. Prior to commencement of development (including demolition) the maximum size and frequency of construction vehicles using Highview Lane shall be agreed in writing with the Director of Transport & Environment.

Reason: To minimise the impact of construction upon Highview Lane.

9. Prior to commencement of development (including demolition) a detailed condition survey of Highview Lane (including drainage) shall be carried out by a competent person and a copy of the survey deposited with the Director of Transport & Environment. Before the development as constructed is occupied Highview Lane shall be restored to the condition recorded in the survey.

Reason: To protect the physical condition of Highview Lane.

66. INSTALLATION OF A FLAT PANEL SUBSCRIBER UNIT ANTENNA TO THE GABLE END OF NEW BUILDING. RODMELL C OF E PRIMARY SCHOOL, RODMELL – LW/2632/CC

66.1 The Committee considered a report by the Director of Transport and Environment.

66.2 Stephanie Wilson spoke against the application and Derek Swallow spoke on behalf of the applicant in support of the application.

Reason for approval

66.3 Members have considered the officer's report and agree with the reasons for approval set out in paragraph 7 of the report.

66.4 RESOLVED to grant planning permission subject to the following conditions:

1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town & Country Planning Act 1990.

67. INSTALLATION OF A FLAT PANEL SUBSCRIBER UNIT ANTENNA TO A WEST FACING WALL ABOVE A FIRE ESCAPE. SOUTHOVER C OF E PRIMARY SCHOOL, POTTERS LANE, LEWES – LW/2634/CC

67.1 The Committee considered a report by the Director of Transport and Environment.

67.2 Councillor O'Keeffe, local Member, spoke advising that whilst she accepted that all guidelines had been met, if there was any uncertainty regarding the effect on health then the Precautionary Principle should apply.

Reason for approval

67.3 Members have considered the officer's report and agree with the reasons for approval set out in paragraph 7 of the report.

67.4 RESOLVED to grant planning permission subject to the following conditions:

1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

2. The unit antenna hereby approved shall be painted in a colour to match the background masonry of the school building.

Reason: To ensure the appropriate appearance of the development in the area in accordance with Policies S1 and EN1 of the East Sussex and Brighton & Hove Structure Plan 1991-2011.

68. RETROSPECTIVE APPLICATION FOR PROVISION OF 1 SINGLE MOBILE CLASSROOM. NORTHAM C E PRIMARY SCHOOL, MAIN STREET, NORTHAM – RR/2639/CC

68.1 The Committee considered a report by the Director of Transport and Environment.

Reasons for approval

68.2 Members have considered the officer's report and agree with the reasons for approval set out in paragraph 7 of the report.

68.3 RESOLVED to grant planning permission subject to the following conditions:

1. The building hereby permitted shall by December 31<sup>st</sup> 2012 be removed and the land restored to its former physical state of a grassed area or as otherwise agreed in accordance with a scheme submitted to and approved in writing by the Director of Transport and Environment.

Reason: The nature or form of development is only considered appropriate for a temporary period.

2. Prior to occupation of the development, plans and full details of both hard and soft works shall be submitted to and approved in writing by the Director of Transport and Environment and these works shall be carried out as approved. These details shall include:

Hard Landscaping

- Proposed finished levels or contours
- Means of enclosure
- Other vehicle and pedestrian access and circulation areas
- Hard surfacing materials
- Minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc)
- Retained historic landscape features
- Proposals for restoration, where appropriate

Soft Landscaping

- Planting plans
- Written specifications (including cultivation and other operations associated with plant and grass establishment)
- Schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate
- Implementation programme

The landscaped areas shall be maintained thereafter in accordance with the approved management plan.

Reason: To secure appropriate landscaping at the site in the interests of the character and appearance of the Conservation Area.

Informative

The retention of this temporary building is unlikely to be granted planning permission for a further period unless a review is undertaken which clearly indicates how this temporary accommodation can be replaced with permanent buildings within an acceptable timescale.

69. AMENDMENT TO DELEGATED POWERS

69.1 The Committee considered a report by the Director of Law and Personnel.

69.2 RESOLVED to recommend to the Governance Committee and the County Council that the Director of Transport and Environment be delegated with Authority, where there are less than 3 objections relating to siting and/or appearance, to determine (a) whether or not prior approval is required and (b) whether or not prior approval is granted, in relation to applications made under Part 24, Town and Country Planning (General Permitted Development) Order 1995.

70. STANDARD PLANNING APPLICATION FORM AND VALIDATION REQUIREMENTS

70.1 The Committee considered a report by the Director of Transport and Environment.

70.2 RESOLVED to note the proposed new arrangements for the submission to the County Council of planning applications and, to authorise the Director of Transport and Environment to undertake consultations on the validation of planning applications, and following consideration of responses, in conjunction with the Director of Law and Personnel, to adopt appropriate validation procedures.

71. RESIDENTIAL DEVELOPMENT OF 72 DWELLINGS, FORMATION OF ACCESS ROAD AND ASSOCIATED INFRASTRUCTURE AND WORKS. LAND AT BENHALL MILL ROAD, FRANT –WD/07/3590

71.1 RESOLVED to inform Wealden District Council that:

1. The proposal represents development in the countryside outside development boundaries in the adopted Wealden Local Plan and is, therefore, contrary to Structure Plan countryside policy (policy S10). Provided Wealden District Council is satisfied that the sites allocated within the Non Statutory Local Plan can be bought forward in a timely way to meet the housing provision for Wealden District set out in policy H1(b) of the East Sussex and Brighton & Hove Structure Plan 1991-2011, then there is no structure plan case for bringing forward this site for housing development as a departure from development plan policy.
2. The site has some potential to be a sustainable urban extension to Tunbridge Wells but this potential would need to be examined in the context of the District Council's Local Development Framework where the sustainability of alternative distribution strategies for Wealden could be tested against the mitigation and compensation measures that would be needed to protect and enhance the SNCI. Were Wealden minded to grant planning permission the County Council would require financial contributions to County Council services as advised by the Council's Development Contributions Coordinator. Any approval should also be conditioned to secure:
  - a) the Highway Authority's requirements for this site; and
  - b) the minimisation of waste (Structure Plan Policy W10, Waste Local Plan policy WLP11 and Construction and Demolition Waste Supplementary Planning Document).